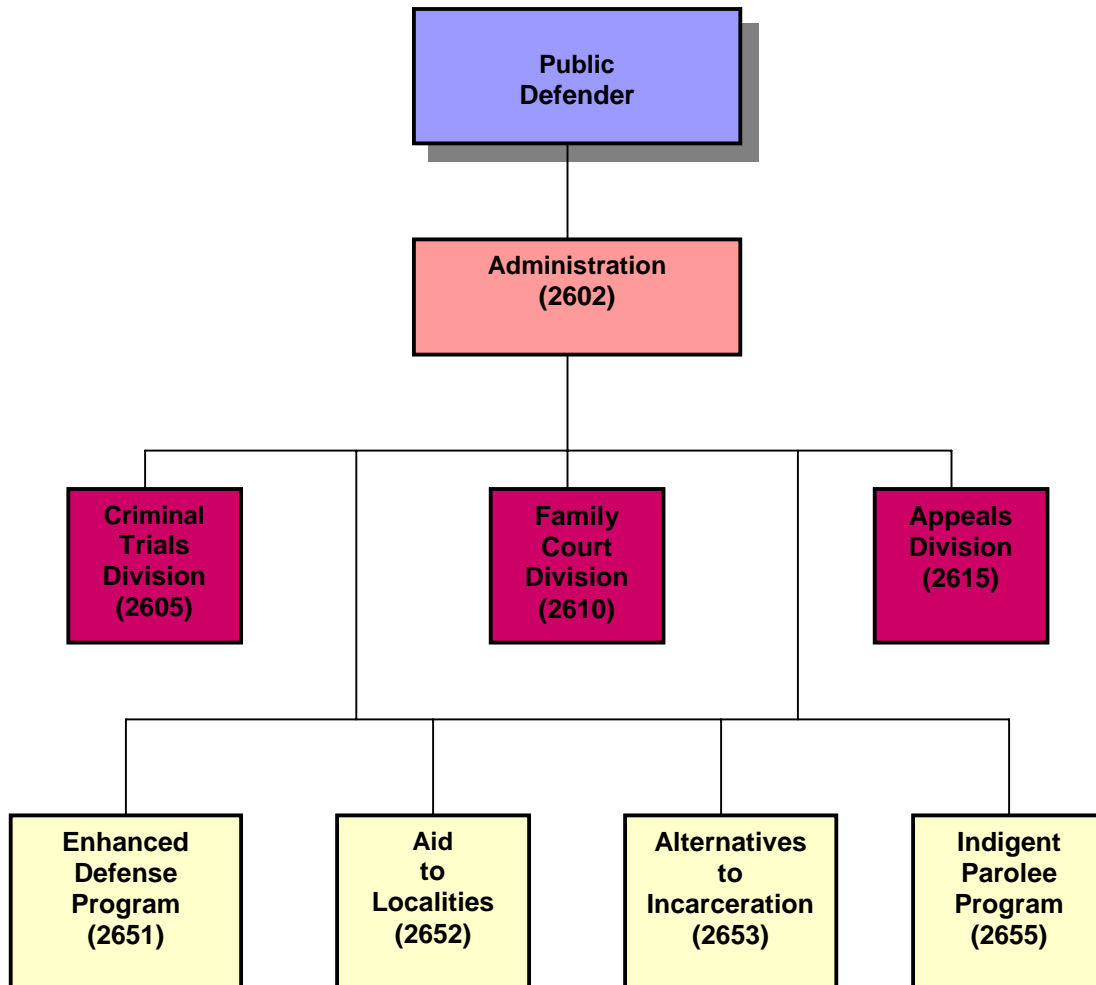
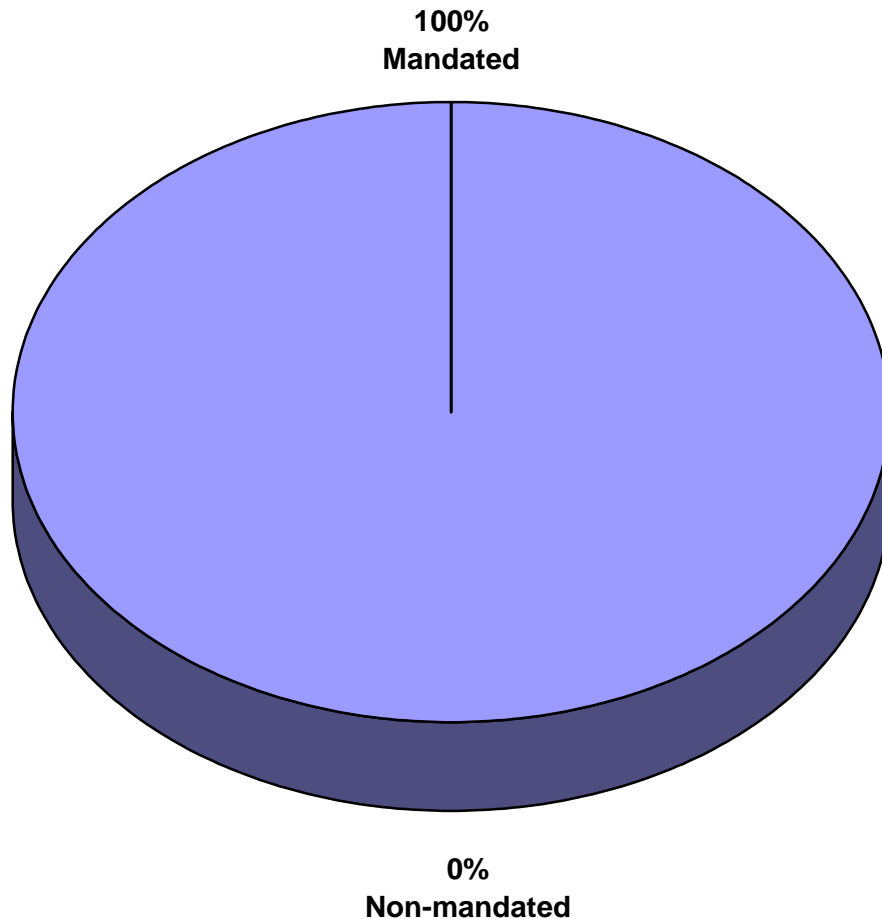


## **PUBLIC DEFENDER (026)**



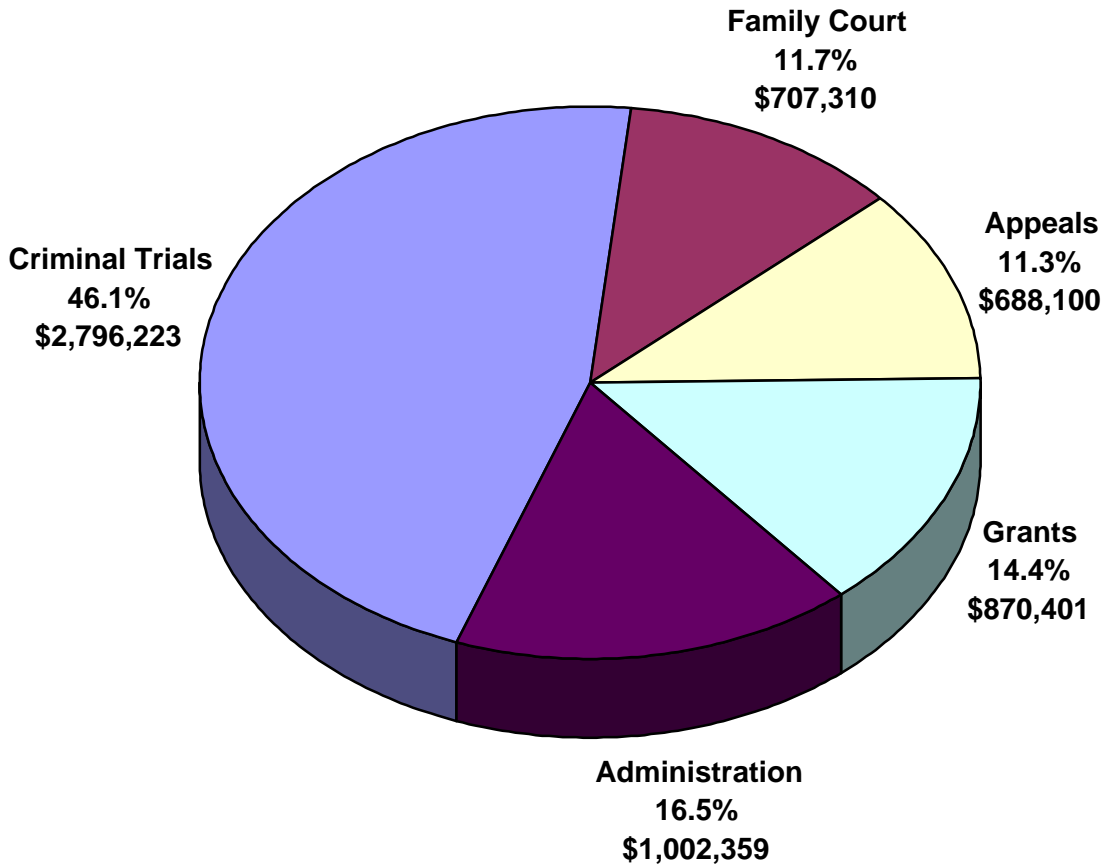
# **PUBLIC DEFENDER 2005 MANDATED/NON-MANDATED**



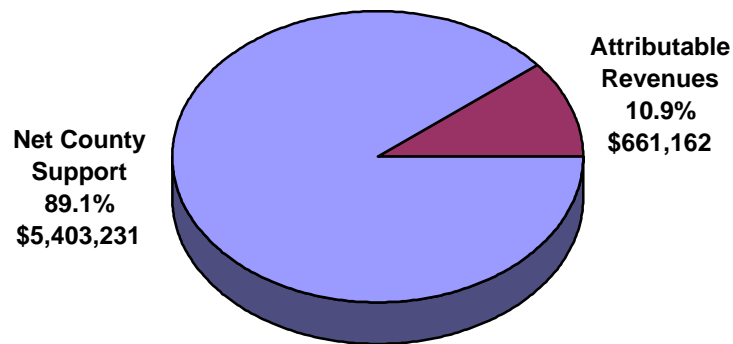
Services provided by the Public Defender's Office are mandated by state and federal law, with the county having limited control over service levels.

# **PUBLIC DEFENDER**

## **2005 Budget - \$6,064,393**



## **Net County Support**



## **DEPARTMENT: Office of Public Defender (026)**

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### **DEPARTMENT DESCRIPTION**

The Public Defender is appointed by the County Legislature for a two-year term. The Public Defender's Office represents indigent individuals in criminal court proceedings, Family Court, and Surrogate Court. Services are mandated by state and federal law, but are subject to some county control. The Public Defender heads a professional staff which includes attorneys and support staff.

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### **Mission**

In compliance with federal and state constitutions, the Monroe County Public Defender's Office is a legal service component of Monroe County Government which: provides quality legal representation to its clients; advocates for the protection of the constitutional rights of its clients; contributes to the efficient and effective operation of the criminal justice system in Monroe County; advocates and works toward achieving results that have the greatest likelihood to help rehabilitate clients and prevent their committing new crimes; and creates a work environment that supports the empowerment and teamwork of its employees.

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### **2004 Major Accomplishments**

- Provided quality services to our clients with very limited resources
- Maintained an 18 to 20 month appellate case processing cycle time
- Continued to improve efficiencies in perfecting Family Court Appeals
- Completed majority of cases within standards and goals

### **2005 Major Objectives**

- Continue to pursue automation of work processes by working with other criminal justice agencies to make client/case data sharing an intra-county reality
- Continue to provide quality services to our clients with limited resources

## **BUDGET SUMMARY**

	<b>Amended Budget 2004</b>	<b>Budget 2005</b>
<b><u>Appropriations by Division</u></b>		
Administration	1,225,937	1,002,359
Criminal Trials	2,517,038	2,796,223
Family Court	720,740	707,310
Appeals	801,505	688,100
Differentiated Case Management	257,471	248,610
Aid to Localities	548,735	374,350
Alternatives to Incarceration	120,598	117,430
Indigent Parolee Program	144,069	130,011
<b>Total</b>	<b>6,336,093</b>	<b>6,064,393</b>
<b><u>Appropriations by Object</u></b>		
Personal Services	4,350,841	4,238,118
Expenses	505,386	400,990
Supplies and Materials	25,575	34,050
Employee Benefits	1,207,475	1,043,941
Interfund Transfers	246,816	347,294
<b>Total</b>	<b>6,336,093</b>	<b>6,064,393</b>
<b><u>Revenue</u></b>		
State Aid	657,877	636,162
722-D Contributions	25,000	25,000
<b>Total</b>	<b>682,877</b>	<b>661,162</b>
<b><u>Net County Support</u></b>	<b>5,653,216</b>	<b>5,403,231</b>

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## **Budget Highlights**

**Personal Services** reflects a decrease in funding as a result of cost reduction strategies. **Employee Benefits** reflects adjustments resulting from the 2004-2005 New York State Budget and its treatment of retirement costs. **Expenses** reflects a decrease in telephone and computer leasing costs that are now budgeted in Information Services. **Interfund Transfers** increases as a result of the move of telephone and computer expenses to the Information Services budget.

**State Aid** revenue decreases as a result of a 5% decrease in funding for Aid to Localities, while all other state funding remains at previous years level.

## **DIVISION DESCRIPTIONS**

### **Administration (2602)**

The Public Defender, with the support of an administrative staff, develops policy alternatives and operating procedures, and provides direction, coordination and planning for all department activities. Specific administrative tasks include payroll, personnel, and budget functions. Except for several grant positions, the entire secretarial staff of the Public Defender's Office is included within the Administration division.

### **Criminal Trials (2605)**

This division defends persons who are charged with crimes but cannot afford private counsel. Clients are represented at arraignments, preliminary hearings, trials and other court proceedings. Specific activities include: the processing of bail applications, the investigation of cases (interviews with defendants, witnesses and victims), and the preparation of motions and supporting legal memoranda.

### **Family Court (2610)**

This division represents indigent persons in all phases of Family Court proceedings as required by Section 262 of the Family Court Act. When appropriate, clients are referred to various agencies for counseling and other services.

### **Appeals (2615)**

The Appeals division represents indigent persons who appeal the judgments, dispositions, or orders of the Trial Court, Family Court or Surrogate Court. Attorneys assigned to this division prepare the legal briefs which are necessary to perfect a case on appeal.

### **Enhanced Defense Program (2651)**

This program has enabled the department to hire additional attorneys and support staff to better represent the increasing caseload of drug arrests in Monroe County. Federal Anti-Drug Abuse block grant funding is distributed to certain localities by the State of New York.

### **Aid to Localities (2652)**

The state provides funding for attorneys and support staff in the Public Defender's Office through the Aid to Localities Program. Specific activities include researching cases, preparing briefs, motions, and other elements of cases, and representing clients at arraignments, preliminary hearings, trials and all other court proceedings.

### **Alternatives to Incarceration (2653)**

This organization reflects the integration of work into the public defense function and is directly supervised by the Public Defender.

### **Indigent Parolee Program (2655)**

The state provides funding for two attorneys who provide state mandated legal representation of individuals accused of violating the terms and conditions of parole.

**Performance Measures**

	<b>Actual 2003</b>	<b>Est. 2004</b>	<b>Est. 2005</b>
Criminal Trials Division			
New Cases Total	19,866	20,730	20,830
Felony	3,493	3,300	3,350
Misdemeanor	10,446	11,500	11,600
Violations	3,627	3,500	3,500
Probation Violations	1,438	1,400	1,400
Fugitive Warrants	93	80	80
Sex Offender Classification Hearings	56	200	100
Parole Assignments	713	750	800
Trials Total	203	180	190
Felony	66	65	85
Misdemeanor	91	100	95
Violations	46	15	10
Parole Violation Hearings	729	725	750
Parole Cases Closed	740	700	725
 Family Court Division			
New Cases	2,678	2,500	2,500
Closed Cases	2,731	2,400	2,400
 Appeals Division			
New Cases Appeals Assigned	180	250	200
New Family Court Appeals Assigned	13	25	20
Special Litigation Assignments	45	50	50
Appeals Pending	321	396	416
Briefs Filed	126	135	160
Appeals Closed	173	200	200